

REMARKS

Initially, the Applicants would like to thank Examiner Meseker and Supervisor Bashore for the time and attention devoted to this application during the in-person interview conducted on April 15, 2010. The Amendments and remarks contained herein are consistent with the discussion of the interview.

The Final Office Action mailed February 1, 2010 considered and rejected claims 1-14. Claims 1-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Pugaczewski U.S. Patent No. 6,903,755 (filed Dec. 21, 1999) (hereinafter Pugaczewski), in view of Glaser, U.S. Patent No. 5,889,520 (filed Nov. 13, 1997) (hereinafter Glaser). Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Pugaczewski in view of Glaser, and further in view of Richardson, U.S. Patent No. 7,146,568 (filed Aug. 6, 2001) (hereinafter Richardson).¹

By this response, claim 1 is amended such that claims 1-14 remain pending. Claims 1, 13, and 14 are independent claims which remain at issue. Support for the amendments may be found, *inter alia*, within Specification ¶¶ 0020-0030.²

Independent claims 1, 13, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Pugaczewski and in view of Glaser.³ Independent claim 1 (the limitations of which are incorporated into claims 13 and 14) has now been amended and the Applicants submit – as discussed during the interview – that the cited references fail to teach or suggest all the limitations of the claims as now presented.

In particular, the cited references fail to teach or suggest obtaining a request to generate application topological and management information corresponding to two or more sites associated with a network. The cited references also fail to teach or suggest obtaining site attribute information corresponding to the two or more sites, the site attribute information being maintained and imported from one or more distributed application servers and the site

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Please note that the paragraph numbers are taken from the published application, U.S. Pat. Pub. No. 2005/0204290 (Sep. 15, 2005). It should also be noted that the claims as recited take support from the entire Specification. As such, no particular part of the Specification should be considered separately from the entirety of the Specification.

³ Office Communication p. 2 *et seq.*

information comprising site interconnection information, a schema defining a template as to how the topological information should be rendered, the schema corresponding to a network template requirement and a specific user requirement, and perceived status of each site.

The cited references also fail to teach or suggest processing the site attribute information to obtain site application topological and management information, wherein processing the site attribute information comprises: identifying through an iterative process all sites within the network, generating at least one connection object for each site, and identifying a directional flow for communications between each site. The cited references also fail to teach or suggest generating a graphical user interface, the user interface comprising a first display portion for displaying topological and management information and a second display portion for generating user controls and wherein information is displayed in the first display portion in accordance with the user controls in the second display portion.

The cited references also fail to teach or suggest formatting and generating the topological and management information for rendering on the display. The cited references also fail to teach or suggest displaying the generated information within the first display portion of the graphical user interface.

Because of at least the distinctions noted (and discussed during the interview), *inter alia*, the Applicants submit that rejections of claims 1, 13, and 14 under 35 U.S.C. § 103(a) as being unpatentable in view of Pugaczewski and in view of Glaser would be improper and should be withdrawn. Accordingly, the Applicants respectfully request favorable reconsideration of claims 1, 13, and 14 (as well as the respective dependent claims).

In view of the foregoing, Applicant respectfully submits that other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner


provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; and/or (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 3rd day of May, 2010.

Respectfully submitted,



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